

PATENT  
Docket No. 030738

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): LiD'Elia, et al.

Serial No.: 10/067,974

Filing Date: February 8, 2002

For: Polynucleotide Constructs for Increased Lysine Production

Pittsburgh, PA 15219  
September 29, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the provisions of 37 C.F.R. Sections 1.56, 1.97 and 1.98, Applicants submit the document listed on the attached PTO/SB/08A (substitute for form PTO-1449) for consideration during prosecution of the above-captioned patent application filed February 8, 2002.

This Information Disclosure Statement is made solely for the purpose of compliance with the above-identified rules and is not intended to be a substitute for an independent search by the Examiner and no representation of any such nature is made or intended by this statement. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

In accordance with Section 1.97(e)(1), this statement is being submitted within three months of the mailing of a communication from a foreign patent office in a counterpart foreign application.

Furthermore, each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign application not more than three months prior to the filing of the Information Disclosure Statement. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned, attorney for applicants signing this certification after making reasonable inquiry, no item of information was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement. Further, the undersigned sayeth not.

Also enclosed is a return postcard. Please date stamp and mail the postcard to acknowledge receipt of the above-mentioned correspondence.

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Respectfully submitted,

By: 

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Date: September 29, 2004

030738

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Substitute for form 1449/PTO

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STATEMENT BY APPLICANT**

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of

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**Complete if Known**

Application Number	10/067,974
Filing Date	February 8, 2002
First Named Inventor	Li D'Elia, <i>et al.</i>
Art Unit	1652
Examiner Name	Kathleen M. Kerr
Attorney Docket Number	030738

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	4	PISABARRO A, <i>et al.</i> , "A cluster of Three Genes (DAPA, ORF2, and DAPB) of <i>Brevibacterium lactofermentum</i> Encodes Dihydrodipicolinate Synthase, Dihydrodipicolinate Reductase, and a Third Polypeptide of Unknown Function," May 1, 1993, pp 2743-2749, vol. 175, no.9, JOURNAL OF BACTERIOLOGY, Washington, D.C., U.S.A.	
	5	JETTEN MSM, <i>et al.</i> , "Effect of Different Levels of Aspartokinase on lysine production by <i>Corynebacterium lactofermentum</i> ," 1995, pp 76-82, vol. 43, no.1, APPLIED MICROBIOLOGY AND BIOTECHNOLOGY, Springer Verlag, Berlin, Germany	

**Examiner  
Signature****Date  
Considered**

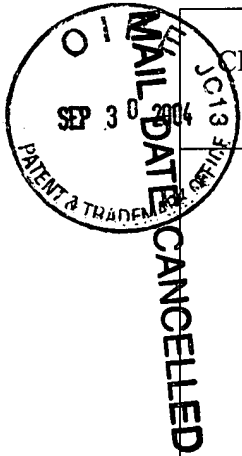
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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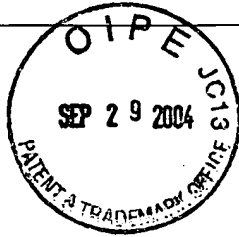
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030738



IN RE APPLICATION OF:

Li D'Elia, et al.

Application Serial No.:

10/067,974

Filing Date:

February 8, 2002

Title:

Polynucleotide Constructs for Increased Lysine Production

Group Art Unit

Examiner

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